

**DECLARATION OF SERVICE**

JONATHAN D. DAVIS, declare as follows:

I am not a party to this action, am over 18 years of age and reside in the City, County and State of New York. On February 8, 2008, I caused true copies of Defendant SONY BMG MUSIC ENTERTAINMENT's Notice of Motion, dated February 8, 2008, Declaration of Clemon Williams, dated February 6, 2008, with attached exhibits, Declaration of Barbara Warnock-Morgan, dated February 6, 2008, Rule 56.1 Statement, dated February 7, 2008, and Memorandum of Law of Defendant SONY BMG MUSIC ENTERTAINMENT in Support of Motion To Dismiss Or, Alternatively, For Summary Judgment, dated February 7, 2008, to served by Federal Express upon Michael J. Borrelli, Esq., Borrelli & Associates, One Old Country Road, Suite 347, Carle Place, New York 11514, Attorneys for Plaintiff Patricia Harris Lee. I also caused the foregoing papers to be filed electronically with the United States District Court for the Southern District of New York.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed at New York, New York, on this 8<sup>th</sup> day of February 2008.



JONATHAN D. DAVIS